



LAND USE SERVICES DEPARTMENT PLANNING STAFF REPORT



HEARING DATE: February 22, 2007

AGENDA ITEM NO: 4

Project Description

Applicant: Land Use Services Department
Proposal: General Plan Update project to include: an update of the County General Plan goals, policies and maps (including associated land use district changes); the establishment of 13 community plans; and revisions to Title 8 of the San Bernardino County Code (the Development Code); an Environmental Impact Report; a Statement of Findings and Overriding Consideration.
Index: CW1-849N
CATS: 00243CQ0
Community: Countywide
Location: Countywide
Staff: Randy Scott

Background

After four years of work on a comprehensive General Plan Update Program, which includes the General Plan, the revised Development Code and the Environmental Impact Report (EIR) [Collectively referred to as the General Plan Update Program] Staff is pleased to present the entire program to the Planning Commission for its consideration. The Commission will have conducted ten public hearings on the Update Program. The following is a list of the previous hearing dates and the general topics of discussion at those hearings:

August 24, 2006	General introduction to the General Plan Update Program
September 7, 2006	Focus on the Desert Region Community Plans
September 21, 2006	Focus on the Mountain Region Community Plans
October 5, 2006	Focus on the Valley Region Community Plans and miscellaneous zoning changes
October 19, 2006	Focus on the Development Code
November 16, 2006	Discussion of proposed changes to the Development Code, the General Plan text and mapping, and selected Community Plans
December 7, 2006	Initial discussion of the Environmental Impact Report
January 11, 2007	Continued discussion of proposed changes to the Development Code
February 8, 2007	Focus on the Final Environmental Impact Report

There has been extensive outreach to the public in every step of the process. Staff has provided documents to the public for their review by posting all versions of the General Plan Update documents on the Department webpage, providing the documents on CD, having them available at all County libraries through the Internet, and having hard copies of the documents at the Department regional offices. During the previous nine hearings, every aspect of the General Plan Update Program has been discussed, with some specific issues being addressed several times. At the February 22nd hearing staff will address a few residual issues that have been carried over from past hearings, respond to Commission questions and present the General Plan Update for the Commission's recommendation to the Board.

Action taken by the Planning Commission on this item may be appealed to the Board.
Note: Recommendations to the Board of Supervisors are not appealable.

Yes ☐ No ☒

General Plan Text Update

The State of California requires each city and county to prepare and adopt a general plan to identify goals, policies and programs to guide future development of that jurisdiction. Each general plan in the state is required to address a variety of issues through the preparation of elements, or chapters, organized by topic. The seven required elements are land use, circulation, housing, conservation, open space, noise and safety. The update to the General Plan provides a projection of growth in the County through the year 2030. Text, tables and maps in the General Plan and its elements identify goals and policies that will guide the development of residential, commercial, industrial, public facilities, transportation facilities and other uses that are desired by the public and decision makers.

Community Plans

An important component of the General Plan is the 13 community plans which have been prepared for selected communities and which identify goals and policies that are unique to each particular community. Community plans focus on a particular region or community within the overall County General Plan. As an integral part of the overall Plan, community plans must be consistent with the General Plan. Community plans build upon the goals and policies of each element of the General Plan. Community plan goals have been customized to meet the specific needs or unique circumstances of individual communities. The goals and policies within community plans guide development in a manner that maintains the existing balance of land uses, preserves the character of the community, and complements existing development.

Development Code Update

The proposed San Bernardino Development Code (Title 8 of the County Code) will replace the existing Development Code in its entirety. The Development Code implements the goals and policies of the General Plan by classifying and regulating the uses of land and structures within the County. The purpose of the Development Code is to promote and protect the public health, safety and general welfare of County residents. The purpose of updating the Development Code is to implement policies of the County General Plan, including policies contained in the various community plans. The overall format of the Development Code has been reorganized and portions rewritten to be more understandable and user-friendly.

Final Environmental Impact Report (FEIR) and General Plan Text

Since the release of the FEIR, a few minor errors or omissions to the FEIR and the General Plan text have been discovered. An Errata Sheet has been prepared to identify these necessary corrections. The corrections will be made to the appropriate documents prior to the public hearing with the Board of Supervisors on March 13, 2007. The Errata is included as Attachment #1.

As a result of the comments received from the distribution of the Draft EIR, a few new General Plan Policies and Programs have been added to the General Plan, which serve as programmatic mitigation for impacts identified in the EIR. Similarly, additional provisions have been added to the Development Code that also serve as mitigation. They are included in Appendix L, Section D, Subsection B of the FEIR.

Final Development Code Revisions

Since the release of the last Draft of the Development Code, modifications have been made to the following provisions.

- **Minor Use Permit:** The Development Code was initially drafted to allow staff to act upon applications for Minor Use Permits, and the text has been modified to require a public hearing. Staff anticipates that a Zoning Administrator will hear these applications once a formal process has been established.
- **Broadcast towers and antennas:** The Code was drafted with the idea that these towers and antennas were included in the "Telecommunication Facilities" category. However, upon further review of the definitions, these towers and antennas are specifically excluded from this category. Consequently, a new category of use was created and is now included in the land use tables for the various zones. They would be allowed in RC, AG, RL, CR, CG, CS, IC, IR, IN, and SD subject to a discretionary review and approval. A Minor Use Permit would be used to evaluate said facilities when the height of the tower does not exceed the height allowed within the zone. If the tower exceeds this height, a Conditional Use Permit would be required.
- **Infrastructure Improvement Standards:** A comment was made at the last Commission hearing that the standards for wells and sanitation facilities were not the same as those issued by Environmental Health Services (EHS). The standards are all wells must be at least 100 feet from leach lines and 150 feet from seepage pits. Those remain unchanged. There was an error in the last version of these standards, which has now been corrected. See Attachment #2 for the final version of the Infrastructure Improvement Standards. Where there are discrepancies between these standards and the EHS handout, EHS will revise their handout.
- **Lot Area Calculations:** A comment was made at the last Commission hearing that the lot area calculation provisions in Division 7 relative to subdivisions were too onerous regarding those areas that must be deducted from the gross area of a parcel when computing the minimum lot areas for parcels within a proposed subdivision. Staff has reviewed this section again and is suggesting new language be inserted as compromise. The new language would state,
 - (A) **Calculation of area.** When calculating the area of a parcel to determine compliance with this Section, this Division or the General Plan (and any applicable community or specific plan), the following shall be deducted from the gross area of any parcel:
 - (I) A vehicular access easement through the parcel, unless there is alternative legal and physical access to the parcel for which the easement is granted;
- **Public Hearing for Tower Projects:** A comment was made at the last Commission hearing that the public hearings should be required for all projects that include some type of telecommunications facilities or broadcast facilities. The Development Code is drafted to require a public hearing because all projects that would include towers are subject to a Conditional or Minor Use Permit. Both will require a public hearing. The same commenter requested that the Wildwood Canyon State Park be recognized in greater detail in the Oak Glen Community Plan. This park is outside of but immediately adjacent to the plan area.

East Valley Corridor Area Plan

The Development Code Update eliminates all Planning Areas since most of them will be accommodated through a community plan or through a Sphere Standards Overlay for a specific city sphere area. The East Valley Corridor Planning Area is the exception. Staff proposes to create an "Area Plan" for the subject property that would include all of the specific standards of the current Planning Area. This Area Plan is simply an extraction from the current Development Code to provide regulations for the former East Valley Corridor Planning Area. Area plans in general will provide a tool to implement unique policies and/or standards for those areas that do not have a community plan or a specific plan, but still needs special standards that vary from the countywide development standards. The East Valley Corridor Area Plan is included in Attachment #3.

Recommendation

Staff recommends that the Planning Commission make the following recommendations to the Board of Supervisors:

Environmental Impact Report:

- 1) Certify the Final Environmental Impact Report;
- 2) Adopt the Statement of Overriding Considerations;

County General Plan:

- 3) Adopt the Resolution amending the County General Plan Text;
- 4) Adopt the Resolution and Ordinance amending the County General Plan Land Use Maps;

Community Plans:

- 5) Adopt the 13 Resolutions establishing 13 Community Plans to include the following communities: Bear Valley, Bloomington, Crest Forest, Hilltop, Homestead Valley, Joshua Tree, Lake Arrowhead, Lucerne Valley, Lytle Creek, Morongo Valley, Muscoy, Oak Glen, and Phelan/Pinon Hills;

Development Code:

- 6) Adopt the Ordinance readopting Title 8 (Development Code) of the County Code; and

Area Plan:

- 7) Adopt the Ordinance adopting the East Valley Corridor Area Plan; and
- 8) File the Notice of Determination.

Attachments

- [1 Errata](#)
- [2 Development Code Changes](#)
- [3 East Valley Corridor Area Plan](#)

Documents presented under separate cover to the Commission:

1. General Plan Text
2. Development Code
3. Final EIR
4. Statement of Overriding Considerations